

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

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In the Matter of

**ECHOSTAR CORPORATION**

For Special Temporary Authority to Move  
the EchoStar 8 Satellite from 109.8° W.L.  
to 77° W.L.

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) File No. SAT-STA-20080616-00122

) File No. SAT-STA-2008\_\_\_\_-\_\_\_\_

) Call Sign S2439  
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**APPLICATION TO RENEW SPECIAL TEMPORARY AUTHORITY**

EchoStar Corporation (“EchoStar”) respectfully requests renewal of its Special Temporary Authority (“STA”) for an additional 30 days to permit it to complete the move of the EchoStar 8 satellite from the 109.8° W.L. orbital location, where it has been operating as an in-orbit spare, to 77° W.L. This authority is set to expire on October 12, 2008.<sup>1</sup>

The extension of the above referenced STA is necessary to allow EchoStar to complete the relocation of the EchoStar 8 satellite to 77° W.L. As explained in the narrative submitted with the original STA request, the move of EchoStar 8 to 77° W.L., where it will augment the services provided by the EchoStar 4 satellite, serves the public interest and does not adversely affect the operations of any other spacecraft or of other authorized spectrum users.

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<sup>1</sup> See File No. SAT-STA-20080616-00122 (granted August 12, 2008).

## **I. GRANT OF THIS APPLICATION IS IN THE PUBLIC INTEREST**

The Commission has a long-standing policy of granting Special Temporary Authority where such authorization will not cause harmful interference and will serve the public interest, convenience and necessity.<sup>2</sup> The proposed operations meet both of these tests.

The EchoStar 11 satellite arrived at the nominal 110° W.L. and completed transferring traffic from EchoStar 8 on August 27, 2008. On September 15, 2008, EchoStar began to move the EchoStar 8 satellite to 77° W.L. pursuant to the Commission's 30-day temporary authority.<sup>3</sup> The satellite has since been moving at a pace of about 0.7 degrees a day. All transponders (other than the TT&C transponders) on the satellite have been turned off during the relocation maneuvers. Once the satellite reaches 77° W.L., which is expected to occur by the first week of November, it will be available to begin DBS operations as soon as EchoStar receives Commission authority to operate.<sup>4</sup> Just as it was in the public interest to initially authorize EchoStar to move the satellite to 77° W.L.,<sup>5</sup> it is also in the public interest for the satellite to be authorized to complete its relocation maneuver. EchoStar will continue to coordinate the move so that its TT&C communications do not cause harmful interference into any authorized user of

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<sup>2</sup> See, e.g., *In the Matter of Newcomb Communications, Inc.*, Order and Authorization, 8 FCC Rcd 3631, 3633 (1993); *In the Matter of Columbia Communications Corp.*, Order, 11 FCC Rcd 8639, 8640 (1996); *In the Matter of American Telephone & Telegraph Co.*, Order, 8 FCC Rcd 8742 (1993).

<sup>3</sup> See File No. SAT-STA-20080616-00122 (granted Sep. 12, 2008).

<sup>4</sup> EchoStar has filed a separate application for temporary authority to provide DBS service into the U.S. from the 77° W.L. orbital location, which remains pending. See File No. SAT-STA-20080616-00121 (filed June 16, 2008). EchoStar subsequently filed a modification to its blanket earth station license to provide service from EchoStar 8 operating as a Mexican-licensed satellite once the Administrations have completed the necessary exchange of letters. See File No. SES-MFS-20080724-00977 (filed July 24, 2008).

<sup>5</sup> See Stamp Grant, File No. SAT-STA-20080616-00122, Call Sign S2439 (granted Sep. 11, 2008).

the spectrum while en route. EchoStar will also ensure the safety of all spacecraft using that portion of the geostationary arc during the relocation.

## **II. SECTION 304 WAIVER**

In accordance with Section 304 of the Communications Act of 1934, 47 U.S.C. § 304, EchoStar hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum because of the previous use of the same, whether by license or otherwise.

## **III. CONCLUSION**

For the foregoing reasons, EchoStar respectfully requests renewal of its STA for an additional 30 days to move the EchoStar 8 satellite from 109.8° W.L., where it has been operating as an in-orbit spare, to 77° W.L. During the relocation, all transponders other than the TT&C transponders will be switched off, and EchoStar will operate the satellite subject to the following conditions:

- (a) EchoStar shall coordinate all drift orbit operations with other potentially affected in-orbit operators.
- (b) No harmful interference will be caused to any lawfully operating satellite network or radio communication system, and EchoStar operations will cease immediately upon notification of harmful interference. Further, EchoStar shall notify the Commission immediately, in writing, of such an event.
- (c) EchoStar will accept interference from any lawfully operating satellite network or radio communication system.

Respectfully submitted,

**EchoStar Corporation**

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/s/

Linda Kinney  
Vice President, Law and Regulation  
Brad Gillen  
Director and Senior Counsel  
**EchoStar Corporation**  
1233 20<sup>th</sup> Street, NW  
Suite 302  
Washington, DC 20036-2396  
(202) 293-0981

Pantelis Michalopoulos  
Petra A. Vorwig  
Steptoe & Johnson LLP  
1330 Connecticut Avenue N.W.  
Washington, D.C. 20036  
(202) 429-3000  
  
*Counsel for EchoStar Corporation*

October 8, 2008